

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

DIONTAE JOHAN DUNCAN,

Plaintiff,

v.

CALIFORNIA HEALTHCARE  
RECEIVERSHIP CORP., et al.,

Defendants.

Case No. 1:20-cv-01288-AWI-SKO (PC)

**ORDER DISCHARGING ORDER TO  
SHOW CAUSE, GRANTING EXTENSION  
OF TIME TO FILE FIRST AMENDED  
COMPLAINT, AND DIRECTING RE-  
SERVICE OF FIRST SCREENING ORDER**

(Doc. 34)

30-DAY DEADLINE

On June 11, 2021, the Court issued a screening order finding that Plaintiff's complaint violates Rule 8 of the Federal Rules of Civil Procedure. (Doc. 27.) The Court directed Plaintiff to file a first amended complaint curing the deficiencies in his pleading or a notice of voluntary dismissal within 21 days. (*Id.* at 7.) Plaintiff failed to comply with the screening order within the time provided. On July 20, 2021, the Court issued an order to show cause why this action should not be dismissed. (Doc. 34.)

On July 30, 2021, Plaintiff filed a response to the order to show cause, contending he never received the screening order. (Doc. 35.)

Good cause appearing, the Court DISCHARGES its order to show cause and GRANTS Plaintiff an extension of time to comply with the screening order. The Court will DIRECT the Clerk's Office to re-serve the Court's screening order (Doc. 27) on Plaintiff.

1           **Within 30 days** of the date of service of this order, Plaintiff shall file a first amended  
2 complaint curing the deficiencies identified in the screening order (Doc. 27) or, in the alternative,  
3 a notice of voluntary dismissal. **Failure to comply with this order will result in a**  
4 **recommendation that this action be dismissed for failure to obey court orders.**

5           The Court DIRECTS the Clerk's Office to re-serve the Court's screening order (Doc. 27)  
6 on Plaintiff.

7  
8 IT IS SO ORDERED.

9 Dated: **August 2, 2021**

*/s/ Sheila K. Oberto*  
UNITED STATES MAGISTRATE JUDGE